

Abstract

Diploma thesis „Constitutional transformation and dissolution of Czechoslovak Federation after November 1989“ is focused on legislative reflection of political changes in a federation in which one of the two nations' state-law ambitions have never been sufficiently fulfilled. This situation resulted into the dissolution of the federation that happened as an outcome of political negotiations of either republic's political representations that have endeavored to proceed with as legal means as possible, however mostly created ad hoc. The aim of this thesis is to describe these legal means of legal dissolution of a state since their political formulation, through their origination until their final acceptance.

First part of this diploma thesis describes the origination of Czechoslovak Federation in 1968, interruption of the federalization processes in the times of so-called normalizations and continuance of this process after the changes in 1989 including drafts of a communist constitution and an opposition constitution towards the end of this year.

Second part of this diploma thesis describes transformation of the Czechoslovak Federation as it happened in the first year after the Velvet revolution. This part also includes disquisition about integrating elements of a federative state as well as it is thoroughly dedicated to the two of the most important legal acts that at that time codified distribution of competences between the republics and the federation itself, i.e. the Small and Large Competence Act.

Third part of this diploma thesis describes political tensions that resulted into different bases of opinions in the next political term as well as it speaks about fundamental statutes that have arisen in this period, i.e. the Constitutional Act on the Supreme Court and the Constitutional Act on the Referendum.

The fourth part of this diploma thesis describes political and legislative processes that had been happening after the elections in 1992. There it concludes that the Federation had been dissolved not mainly because of the conflicts between the nation states, but because there was no significant political force that would be interested in preservation of the Federation. As far as the legislative aspects are concerned this part describes transformation of conclusions of political negotiations into legislative acts that have led to dissolution of the Federation. In this part I also speak about the independent approach the Slovak republic has chosen to pursue when it declared sovereignty and its own Constitution even as it still was a member of the Federation. As a final topic in this diploma thesis there is an adoption of a remarkable Constitutional Act on the Dissolution of the Czechoslovak Federation which was used as a vehicle that allowed

for legitimate termination of its own existence followed by description of legal acts that were of a technical nature connected to the aforementioned Constitutional Act.